

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON**

AN ORDINANCE OF THE COUNTY OF LEWIS,)	ORDINANCE 1267
AMENDING SECTION 17.42.030 AND 17.42.040)	
TO CHANGE THE PERMITTING STANDARDS)	
FOR ANIMAL KENNELS, SHELTERS, BOARDING,)	
GROOMING, AND HOSPITALS.)	

WHEREAS, Lewis County currently contains several dog kennels, including commercial and noncommercial facilities; and

WHEREAS, the Public Health and Social Services Department has had limited success enforcing the existing laws for dog kennels Lewis County Code (LCC) Chapter 6.15, which are intended to ensure that dogs are kept humanely and in a manner that does not endanger public health; and

WHEREAS, to make the standards more effective, the Public Health and Social Services Department, the Community Development Department and the Office of the Prosecuting Attorney identified a variety of potential changes to the LCC; and

WHEREAS, as part of that review, county staff noticed that Title 17 LCC (Land Use and Development Regulations) regulated animal businesses in an inconsistent and unclear manner; and

WHEREAS, to make the requirements more consistent, the Lewis County Community Development Department suggested making changes to the Local Areas of More Intense Rural Development (LAMIRD) and Rural Development District (RDD) tables in LCC 17.42.030 and 17.42.040, which would combine and largely permit all similar animal uses; and

WHEREAS, the Lewis County Planning Commission held workshops on October 27, 2015 and January 16, 2016 on the proposed code revisions; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the amendments at their meeting of February 23, 2016; and

WHEREAS, following the public hearing, the Planning Commission deliberated on the proposed revisions and voted unanimously to recommend that the Lewis County Board of County Commissioners (BOCC) approve of the proposal; and

WHEREAS, a State Environmental Policy Act Determination of Nonsignificance was issued by Lewis County Community Development Department on March 23, 2016; and

WHEREAS, the BOCC held a public hearing on the proposal on May 9, 2016;

NOW THEREFORE, the Lewis County BOCC do ordain that Sections 17.42.030 and 17.42.040 be amended as follows:

Section 1: Revise Table 1 of Section 17.42.030 – Land use summary – Local areas of more intensive rural development as follows:

**TABLE 1: Rural Area Land Use
– LAMIRDS Zoning Summary**

Use Tier	Uses of Rural Area Lands	17.45 Small Town Mixed Use	17.50 Small Town Residential	17.55 Small Town Industrial	17.60 Crossroad Commercial	17.65 Freeway Commercial	17.95 Rural Residential Center/ Shoreline Residential
I II	Sales service (nonresource use)	P - to 10,000 ft. ² SUP- >10,000ft ²	X	P - related to industrial or resource use	P - < 5,000ft ² (small scale)	P - to 10,000 ft. ² per use	X
I II	Retail sales (nonresource use)	P - to 10,000 ft. ² SUP- >10,000ft ²	X	P - related to industrial or resource use	P- < 5,000ft ² (primarily serve local)	P - to 10,000 ft. ² per use	X
I	Professional services (includes offices) (nonresource use)	P	X	P	P- < 5,000 ft ²	P	X
II n/a	Essential public facilities – Local Major	SUP Amend CP	SUP Amend CP	SUP Amend CP	SUP Amend CP	SUP Amend CP	SUP Amend CP
I	Public facilities, public services, and utilities	P	P	P	P	P	P
I	Schools, cemeteries, religious, community centers	P	P	X	P	P	P
I	Recreation, hospitality, and tourist: Bed and breakfast (up to 10 guest suites); Motels (100 units);	P P P	P P X	X X X	P P X	P P P	P P X
	Restaurants (150 seats)	P	X	X	X	P	X

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I	Residential single family, 4 units/acre	P	P	X	P on existing lots	X (except caretaker)	n/a
I	Residential centers	n/a	n/a	n/a	n/a	n/a	Density set on map
I	Residential: duplex, multifamily, 6 units/acre	P	P	X	P on existing lots	X	X
I	Retirement, boarding, convalescent home (not state licensed) 6 persons (in addition to owner's family)	P	P	X	P on existing lots	X	P
II	> 6 persons	SUP	SUP	X	SUP	SUP	SUP
II	Group homes (applies to all state-licensed facilities)	SUP	SUP	X	X	X	SUP
II	Animal kennels, <u>shelters, boarding, grooming and hospitals</u>	<u>SUP A</u>	X	<u>SUP P</u>	<u>SUP P/A¹</u>	<u>SUP P</u>	X
I	Home occupations (cottage industries) A. In existing residence or associated outbuildings, by owner-occupant, plus 2 nonresident FTE. No exterior appearance of the business except a	P	P	P	P	P	P

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	small sign. No vehicles used off-site for the business; okay to park vehicles overnight.						
II	B. Businesses with up to 5 on-site nonresident FTE plus owner-occupant. May include new structures up to 5,000 ft. ² .	A	A	A	A	A	X
II	C. Uses permitted through the special use permit process, Up to 10,000 ft. ² with up to 10 nonresident FTE on site.	SUP	SUP	SUP	SUP	SUP	X
II	Manufacturing, assembly, and process of goods	SUP- to 5,000ft ²	X	P to 20,000ft ² SUP >20,000 ft ²	X	SUP- to 10,000ft ²	X
II	Storage, transportation & handling of goods	SUP- to 5,000ft ²	X	P to 20,000ft ² (via Tier I) SUP >20,000 ft ²	X	SUP- to 10,000ft ²	X
II	Shoreline uses from (SMP) Shoreline Master Program – Permit exempt	P (Use density, DRs, or	P (Use density, DRs, SMP, whichever is	P (Use density, DRs, or	X	n/a	P (Use density, DRs, or SMP whichever is

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II	Shoreline permit also required for non-exempt activity within 200 ft. of shoreline	SMP, whichever is more restrictive)	more restrictive)	SMP, whichever is more restrictive)			more restrictive)
I	On-site treatment/ storage of hazardous waste	P - accessory	P- accessory	P - accessory	P - accessory	P - accessory	P - accessory

KEY P = Permitted Use

SUP = Special Use Permit

A = Administrative Review

X = Prohibited

n/a = not applicable

Animal kennels, shelters, boarding, grooming and hospitals are permitted outright in the majority of Crossroad Commercial areas. When an application is submitted for the Galvin and Dorn's Corner Crossroad Commercial areas, the proposal requires an Administrative Approval to ensure that notice is provided to nearby landowners.

Section 2: Revise Section 3 of Lewis County Code Section 17.42.040 - Rural area land use zoning summary - as follows:

Table 2: Rural Area Land Use Zoning Summary

Tier	Use	R 1-5	R 1-10	R 1-20
Section 3				
I	Animal hospital/boarding <u>Animal kennels, shelters, boarding, grooming and hospitals</u>	P	P	P
II	New private aviation facilities, 9 or fewer permanently-based aircraft, or a private aviation subdivision	SUP	SUP	SUP

Table 2: Rural Area Land Use Zoning Summary

Tier	Use	R 1-5	R 1-10	R 1-20
II	New public aviation facilities, 10 or more permanently-based aircraft (see LCC 17.115.030 (6)) [Essential Public Facility]	SUP	SUP	SUP
II	Expansion of existing, lawful nonconforming use A. Only on developed legal lot	A	A	A
II	B. Nonconforming uses may be changed to new nonconforming use, but new use must meet current critical area, road, stormwater, well, and septic criteria	SUP	SUP	SUP
I	Mineral resource use	P	P	P
II	Below DNR threshold New or expansion of existing approved mine area	SUP	SUP	SUP
I	Forestry uses listed in LCC 17.30.450 (1) and (2)	P	P	P
II	Forest resource accessory use, mills, log yards A. Temporary (less than 1 year/portable) B. Permanent (fixed installation or more than 1 year)	P P/SUP over 20 acres	P P P/SUP over 20 acres	P P P/SUP over 20 acres
I	Agricultural uses as listed in LCC in LCC 17.30.610 , 17.30.620 and 17.30.630 **	P	P	P

KEY: P = Permitted Use

SUP = Special Use Permit

A = Administrative Review

RMP = Rural Master Plan

X = Prohibited

MPR = Master Planned Resort (county and state planning requirements)

MIP = Major Industrial Park (county and state planning requirements)

* [Section 2] Exempt Activities: Facilities used for personal or limited activities - no charge or cover costs.

** The following agricultural uses require special use permits through the hearing examiner:

- Agricultural processing facilities.
- Commercial greenhouse operations.
- Wholesale nurseries.
- Watershed management facilities, including, but not limited to, diversion devices, impoundments, private dams for flood control, fire control, stock watering, and private hydroelectric generating facilities.
- Storage and application of agricultural waste.
- Disposal of farm-generated solid waste and application of biosolids.
- Regulated treatment of wastewater.

- Composting managed according to an approved nutrient management plan in conduction with the local conservation district and NRCS standards and all applicable environmental, solid waste, access, and health regulations.
- Confined animal feeding operations.
- Storage of explosives, fuels, and chemicals used for agriculture and forestry, subject to all local, state, and federal regulations.
- Private aircraft landing fields, heliports.
- Agricultural storage and processing.

PASSED IN REGULAR SESSION by the Board of County Commissioners after a public hearing was held May 9, 2016 pursuant to Notice published in the East County Journal on April 20 and the Chronicle on April 21, 2016.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

By: Eric Eisenberg, Deputy Prosecuting Attorney

P.W. Schulte, Chair

ATTEST:

Gary Stamper, Vice Chair

Karri Muir, CMC, Clerk of the Board

Edna J. Fund, Commissioner